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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**UTILITY PATENT APPLICATION  
TRANSMITTAL LETTER  
UNDER 37 C.F.R. 1.53(b)**

ATTORNEY DOCKET NO.:  
11443/72

Address to:  
Assistant Commissioner for Patents  
Washington D.C. 20231  
Box Patent Application

Transmitted herewith for filing is the patent application of

Inventor(s): WHITMAN, Michael P.; BURBANK, John E.; ZEICHNER, David A.

For : **ELECTRO-MECHANICAL SURGICAL DEVICE**

1. Enclosed are:

- a. 42 sheets of specification, 6 sheets of claims, and 1 sheet of abstract;
- b. 59 sheets of drawings;
- c. Return Receipt Postcard.

2. Continuing application information:

This application is a continuation-in-part of U.S. Patent Application Serial No. 09/887,789, filed June 22, 2001 which is a continuation-in-part of U.S. Patent Application Serial No. 09/836,781, filed on April 17, 2001, which is a continuation-in-part of 09/723,715, filed November 28, 2000, which is a continuation-in-part of U.S. Patent Application Serial No. 09/324,451, filed on June 2, 1999, a continuation-in-part of U.S. Patent Application Serial No. 09/324,452, filed on June 2, 1999, a continuation-in-part of 09/351,534 filed on July 12, 1999, a continuation-in-part of U.S. Patent Application 09/510,923, filed on February 22, 2000, which is a continuation-in-part of U.S. Patent Application Serial No. 09/324,452, a continuation-in-part of 09/510,927, filed on February 22, 2000, which is a continuation-in-part of U.S. Patent Application Serial No. 09/324,452, and a continuation-in-part of U.S. Patent Application Serial No. 09/510,932, filed on February 22, 2000.

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3. Applicants are deemed to be a small entity and are entitled to small entity status.
4. The filing fee has been calculated as shown:

|  | NUMBER FILED | NUMBER<br>EXTRA* | RATE (\$)             | FEE (\$) |
|--|--------------|------------------|-----------------------|----------|
| BASIC FEE  |              |                  |                       | 740.00   |
| TOTAL CLAIMS   | 33 - 20 =    | 13               | 18.00                 | 234.00   |
| INDEPENDENT CLAIMS   | 11 - 3 =     | 8                | 84.00                 | 672.00   |
| MULTIPLE DEPENDENT CLAIM PRESENT   |              |                  |                       | 280.00   |
| *Number extra must be zero or larger   |              |                  | TOTAL                 | 1,646.00 |
| If applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here. |              |                  | SMALL ENTITY<br>TOTAL | 823.00   |

5. Please charge the required application filing fee of **\$823.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
6. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
  - A. Any additional filing fees required under 37 C.F.R. § 1.16;
  - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
  - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
  - D. Any additional document supply fees under 37 C.F.R. § 1.19;
  - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
  - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.
7. A duplicate of this sheet is enclosed.

Dated: 15 MARCH 2007

By:

  
Michelle M. Carniaux (Reg. No. 36,098)



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